

# DEMOCRATIC BANNER.

MINOR & MURRAY, Editors.

"SALUS POPULI, SUPREMA LEX ESTO."

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## THE BANNER.

### NEW COUNTIES—THE CONVENTION.

The organization of new counties at the present session, is destined we apprehend, to be a source of great trouble and irritation in the Convention to assemble next winter. The equalization of representation, was one of the principal causes that led to the call of the Convention to remodel the State Constitution. But unless we are greatly deceived, it will be impossible in the nature of things, to make representation more just than it now is, and it certainly could not be much more unjust than at present. This will arise in a great degree from the strength of the small county interest, multiplied and augmented by the addition of 19 new counties to the present number, by this Legislature. This interest now preponderates over all others, and we look upon it as certain, that it will be impossible to get a Constitution through the Convention, that does not give the smallest county in the State one representative. We have witnessed the growing strength of this interest for some years, and every successive Legislature has inspired into it, a new vitality and greater vigor, until now, even without the addition made to it by creating 19 new counties, every thing is made to yield to it. If we are correct in the assumption that each county will have one representative under the new Constitution, the only alternative presented to the people will be a Legislative body of 350 or 400 members, and equality of representation, or a House of Representatives of a much smaller number, and inequality of representation. If each county is allowed a member, with a ratio of the smallest county, the House must number not less than 350 members. Are the people willing to pay 350 men to legislate two or three months a year, at an expense more than equal to all the other expenses of the government? We say emphatically no! The objection on the score of expense is enough, without enumerating others quite as forcible, if not so tangible to the popular mind. But if the people will not submit to such an increase in the members of the House, they will be compelled to submit to what is worse—inequality of representation, and consequent inequality in sustaining the burdens of government. We say they will be compelled to submit to inequality of representation; because the smaller county interest will be too strong to be resisted, and having the power in the Convention, will use it to retain that power in the future legislation of the State. The large counties are powerless, and without the ability to help themselves, and they will have to make the best term with their masters that they can. The history of the past may admonish us that these terms will be imposed to the full extent of their ability of endurance, and nothing will satisfy them short of our supporting the government for their benefit. Whether the large counties will any longer submit to this galling injustice and gross outrage on their rights, remains to be seen—but certain it is that the question of representation will be the source of much difficulty, and great sectional irritation in the Convention.

### DEMOCRATIC NOMINATIONS.

The Democrats in St. Louis have made the following nominations: For Mayor, F. R. Conway; Recorder, Geo. Mead; Register, George McGuire; City Attorney, Charles Kribben. Unfortunately they seem yet to exist some little dissatisfaction among the party. Why is this? All issues formerly made between them are now decided—why disagree about men?

### ARRIVAL EXTRAORDINARY.

Arrived this morning at the port of Cincinnati, the new, staunch built, and well equipped *BARQUE MUSKINGUM*, fitted out at Marietta, and destined to Liverpool, or any other part of the world. She was built three hundred miles above this place, and will descend only fifteen hundred miles before she is worked by the ocean tide. (Cincinnati Chronicle, March 1.)

### ANOTHER HOMICIDE.

We learn from the Warsaw Visitor that a street fight occurred in that city, a few weeks since, which resulted in the killing of John H. Wilson, by T. H. Coats. The particulars are not given, and of course we are at a loss to whom to attribute the blame. Ill-fated place, standing as she does, the acknowledged emporium of the South West—a city grown up almost by magic, upon the frontier line nearly of the State, filled with merchants, traders and busy artisans, congregated from all quarters, giving every sign of peace and security. And yet but short intervals ever intervene, but bring to us the mournful intelligence of some cruel murder or cowardly assassination. Only a few months since, and the accomplished gentleman and Senator, Major, was cut down in the pride of usefulness and promise, by the ruthless stiletto of the assassin. Turk and others that might be named in that section of country, have fallen in broils and fights. The force of public opinion can alone right these abuses.

### WHAT STUFF!

The Bowling-Green "Democratic Banner" says that if Dorr dies in prison "his name will live in after ages placed side by side with Hamden and Synder, and other martyrs to the cause of human liberty." What disgusting stuff! Dorr, the pusillanimous dastard of Chepachet—the imprisoned traitor, legally convicted of Treason against the Government of his own State—a martyr to the cause of human liberty!! The next thing we'll hear will be that the infamous McNulty, the "Democratic" Clerk who has filched \$40,000 of the people's money, is a martyr to human liberty—the liberty of stealing!!! Oh, Democracy for shame!

[Mo. Statesman.]

We did not expect our opinions would meet with much favour from the Editor of the Statesman, indeed if he should concur with us, it would almost make us doubt and hesitate as to the ground which we occupy; but when we hear whigs exclaim as does the Statesman "what stuff, what disgusting stuff," we feel assured in our own mind that some sentiment obnoxious to the "grand decency party" has been uttered which the sterling Democracy of the land will approve. As to the cowardice of Gov. Dorr, the world can judge, overpowered by numbers he fled as thousands of men before have done, possessing as much nerve as Col. Switzer. We hurl back into the teeth of the Editor of the Statesman, the epithet of traitor which he has applied to Dorr. He is no traitor, unless a deep seated and inveterate hatred of every species of tyranny over the mind of man, constitutes him such. Resistance to tyranny is obedience to God, were the words which fell from the lips of the sage of Monticello, and in a vain attempt to carry out this sacred principle, Gov. Dorr fell, and is now infamously, traitorized and slandered, for his ceaseless and bitter war against that degrading slavery which has rested so long with the weight of an incubus upon his native land. As to the "twattle" of the Statesman about McNulty, liberty of stealing, &c, we should condescend, if we noticed it.

### SANTA FE.

The Independence Expositor says everything was quiet in New Mexico at the latest dates. Seventraders have arrived at Independence in this State, reporting that considerable apprehension had been felt in New Mexico concerning the incursions of the Yute Indians.—They had taken the fort of Antoine Robidoux, and slain all found in it, except Mr. R. who contrived to escape. Mr. A. Speyer who started for Santa Fe last September, with twenty-five wagons, lost one hundred and fifty mules on the route, from the severe weather. Messrs. Connelly, Glasgow and Alguia also lost forty head of cattle in the same storm. Those two trading companies bought the goods belonging to the other traders, and proceeded to Chihuahua. The company of Bent and St. Vrain is said have been very successful in its winter trade with the Indians. Several Spanish traders expect to visit this country this Spring, to make purchases. There had been considerable sickness among the Americans.

We insert the following for the benefit of some of our friends hereabouts, who are frequently at a loss to cite cases to prove the wonderful doctrine of mesmerism:—

"We see it stated in the National Intelligencer, that a young lady of Washington was thrown into a mesmeric sleep, on Thursday week, by Prof. De Bonnevill, before a large audience, and that whilst in that condition a tooth was extracted without giving the patient the least pain. Dr. J. H. Relf, a Representative in Congress from Missouri, and Dr. J. M. Gibson, of Louisiana, who were present and witnessed the operation, have published a card, in which they declare themselves fully convinced that "painful surgical operations may be performed on patients in a mesmeric state without pain."—(Lou. Jour.

The Anti-License party in St. Louis have nominated the following ticket for city officers:

For Mayor—George Mead.  
For Recorder—J. C. Beideman.  
For Attorney—James Dougherty.  
For Marshal—J. C. Ivory.  
For Auditor—Richard B. Dallam.

### SANTA ANNA.

For the honor of humanity, we hope that nothing but sheer justice will be done to the fallen tyrant, now that he is at the mercy of his enemies. His many previous sins are those of his nation; for his recent conduct towards the people and the government of Mexico he should alone be accountable at this time. Moreover, his judges are probably little better than he—and worse for him that it is so.

His appeal for mercy is thus commented on by Kendall of the Picayune. George knows something of the Dictator by sad experience.—Gazette.

"He talk about sparing blood, the sanguinary barbarian! he, who ordered the butchery of Fannin and his brave associates! who commanded an indiscriminate slaughter at the Alamo, where Crockett and Bowie fell! who sent the brave Cameron to an ignominious death through fear! who brutally decimated the unfortunate Mier prisoners! who gave up the city of Zacatecas to be sacked, after killing many of its citizens! who has made the hills and valleys of his own country fat with the blood of his own countrymen, and all to gratify his personal ambition or rivalry! Why if Santa Anna had got Incan, or Paredes, or any of the revolutionists in his power, he would have executed them with as little feeling or remorse as a hungry hyena would a young kid! and he now talks about sparing blood! If the Mexican leaders are galled by any such humbug, they are bigger fools than we take them for."

### THE BURIAL GROUND.

It is a pleasant thing when the cares and trials of life weigh heavily upon the spirit, and the soul seeks vainly for the sympathy of a congenial bosom—it is very pleasant, at such time, to go away from the furrowed strife of the living to the lonely dwellings of the dead. There is not in all this hollow-hearted world of ours one spot, to which we may repair, where the accents of consolation fall so like the dew of Heaven on the spirit, as within the hallowed precincts of the departed. From the chill marble and the grass grown grave comes up a strain of melody, such as mere mortal ministrals had never breathed; and gushing over the troubled surges of the soul, the strife is hushed—the tempest lulls, and all is peace. Yes, reader—yes, there is a religion in the quiet scenes and associations of the burial ground which is elsewhere sought in vain.—And, when the symphonies of woods, and winds, and waters unite harmoniously, and blend their mingled sweetness with the unearthly melody of the dead, then it is, that the wrapt spirit mounts up from the state of inanity of the present existence, and learns the language of another world.—[Gaz.

No man can be eloquent who tries to be eloquent, said a friend to us the other day. He was right.—Oratory, no more than Falstaff's reasonings, will come upon compulsion.—[Gazette.

Justice is a duty—generosity is a virtue. Yet the world is too apt to regard the first as a favor, and the latter as a folly.

### GOVERNOR'S MESSAGE.

JEFFERSON, FEBRUARY 10, 1845.

To the Honorable The House of Representatives.

GENTLEMEN—I have examined the "Memorial to the Congress of the United States, asking an appropriation for the improvement of White river;" and after the best investigation I have been able to give the subject, I am still unable to persuade myself to approve and sign it.

I regret this the more, because, in the first place, I have already returned one bill to the House; and, in the second place, I am decidedly in favor of improving White river, and therefore, do not wish to seem to be against it; but I doubt, first, whether Congress has the power to appropriate money to improve that river; and, second, if the power was clearly in Congress, I should then doubt the wisdom of asking the exercise of it.

Congress can exercise only such powers as are delegated. There is no dispute about the correctness of this proposition. Of the seventeenth powers delegated to Congress, in the eighth section of the first article of the constitution of the United States, there is none expressly given to improve the navigation of White river, or of any other river. If, then, the power exists at all, it must exist as an implied power.

It has seemed to me that our great rivers might be improved under the war power. Congress has power "to lay and collect taxes, \* \* \* \* \* to provide for the common defence \* \* \* of the United States." As one means of providing for the "common defence," perhaps we have power to appropriate money to improve our great national highways. One thing is certain; a few hundred thousand dollars appropriated and faithfully applied to the improvement of the Ohio, and Mississippi, and Missouri, Arkansas, and Red rivers, would do more towards providing for the defence of the west, by opening these great channels for concentrating troops, provisions, and munitions of war at the points exposed to attack, than forty millions expended on the army and navy in the time of peace. The improvement of the these rivers is surely a good mode of providing for the "defence" of the West, whether it be a good mode of providing for the "common defence" of the Union, or not.

Still, I have considered the appropriation of money to improve rivers, an unsafe exercise of power by Congress, because, in the first place, there is no clear grant of the power; and in the next place, as there is no clear grant of the power, there can be no well defined limit to its exercise; and the power is, therefore, always liable to be greatly abused.—After improving these great rivers, to use the language of the memorial, we have only only "to make another step in this great work of improvement" to get to White river, the Osage, the Des Moines, Illinois, the Wabash, the Kentucky, and ten thousand other streams of greater and less magnitude, till we have rendered the internal improvement system of the United States, even worse on its magnificent and extended scale, than has been that of a sister State on a scale more humble and contracted; and debt and ruin, still more irretrievable, both to the government and the people, would follow as its consequences. It will be unwise in us to give encouragement to such a system.

If Congress has the implied power to improve the great navigable rivers, still there should be some limit to prevent the exercise of that power from extending to all the rivers of every class in the country. What that limit should be, it may be difficult to define; but it seems to me that the power has already been pushed far enough. I do not think Congress can constitutionally exercise the power of appropriating money to improve White river; because it cannot be necessary to do so, in providing for the "common defence" of the United States; the only source from which I can derive the power.

If the improvement of White river were necessary in defending the country, the memorial does not place the application upon that ground; but upon the ground, that no "substantial and lasting improvement, will in any reasonable time be made upon this river, unless it shall be done by the General Government," and "that the energies of the people

there must be chilled and their hopes of future wealth and prosperity forever blasted" "without the aid of some protecting hand."

If the people interested in White river, are not sufficiently numerous, or else not sufficiently interested to improve White river "in any reasonable time," this is not a ground on which Congress should undertake to improve the river. If it be true, "that the energies of the people there must be chilled and their hopes of future wealth and prosperity forever blasted," "without the aid of some protecting hand," then we should rise in our own might and go to work; but we should never tell so sad a story so far from home; because instead of operating in favor of improving White river, it will be used as an argument against emigrating to our country. The frightful stories which have been published in the papers, of the numberless steamboat disasters and the danger of navigating western rivers, have driven back to their homes and hastened there, more emigrants than enough to have paid in the West a revenue equal to all the appropriations which have been made by Congress to improve western rivers. We have driven back the wealthiest and best emigrants.—This has been wrong. We ought not to abuse our own country. It will always do us more harm than good.

If Congress had the power to improve White river, I should think it unwise in us to ask the exercise of that power. Taxes should be collected from the different parts of the Union equally. If Congress distributes money, it should be distributed equally. If Congress appropriates money, Congress can neither distribute nor appropriate money till it has been collected from the people. Every prayer to Congress for a distribution of money, or for an extraordinary appropriation of money, is based upon the presumption that Congress has heretofore collected, or will hereafter collect more money from the people than is necessary to pay the ordinary expenses of the government economically administered. Every demand on Congress for an appropriation to improve a river, carries with it a demand on Congress to tax the people more heavily.

This is wrong. If Congress distributes or appropriates money for extraordinary purposes, the surplus remaining after paying the ordinary expenses of government, is the proper fund to be distributed or thus appropriated. Of this fund, no State should ask or expect more than her proper share. The most rigid justice, and all that we could ask, as honest men, would give us back only that amount of taxes, paid out of our own pockets, over and above what was necessary to pay our portion of the ordinary expenses of the United States. This is all that any other State could ask or ought to get. If this rule was followed, we should then get back, only what we had paid out, deducting first the ordinary expenses of the United States, and next the expense of collecting the whole revenue, and then the expense of refunding the part returned. Then we gain nothing, but we lose much by this operation; and if we could ascertain the expense of collecting money by the State to improve White river, and then the expense of collecting and refunding money by the U. States for the same purpose, we could determine the amount of loss sustained by such an operation. Our best interest require us to do so. If we cannot reach the precise truth, we can approach it near enough to satisfy those who comprehend the subject.

The sum asked in this memorial is 100,000 dollars. If the State should undertake to collect this sum, it would be done, say for seven per cent and this added to the first sum, would make 107,000 dollars. If collected by the United States, the expense to that government would be eleven and a half per cent and that added to the 100,000 dollars would make 111,500 dollars, a difference of 3,800 dollars. But there is another difference. Over and above the per cent paid by the General Government on the collection of the revenue, people of the country pay an expense, in magnitude, infinitely greater. That expense, is paid in this way.

The tax paid the United States is laid on merchandise imported from foreign countries. This tax is paid into the custom house by the import-

er, and after deducting eleven and a half per cent, the expenses to the government of collecting the revenue, the balance in the treasury. Upon this tax and the expense of collecting this tax, the people pay a series of profits compounded, being the profits paid to the various persons through whose hands the foreign merchandise passes on its way from the foreign manufacturer to the consumer in this country, the aggregate of which is so nearly in redoubt, that but few can be made to realize it.

In the most usual route, the merchandise on which we pay this tax and these profits, passes from the foreign manufacturer to the importer; from the importer to the jobber; from the jobber to the St. Louis merchant; and from the St. Louis merchant to the village or country merchant; and from the village or country merchant to the consumer; and each makes his profit upon the tax laid upon the foreign merchandise, just as he does upon the cost of that merchandise, until we get to the consumer, who makes no profits, but pays the tax and all the profits upon the tax, and the profits multiplied upon the profits upon that tax.

I have heretofore estimated the profits upon the tax paid into the custom house, at ten per cent to the importer, twenty per cent to the jobber, thirty per cent to the St. Louis merchant, and fifty per cent to the village or country merchant. As times have grown tighter, and money scarcer and more valuable, most men are now willing to work for smaller wages, or else do so from necessity; and among these we may rank the dealers in foreign merchandise. Then to suit the character of the times, let us reduce these profits one half; that is, the profit to the importer, to five per cent; to the jobber, to ten per cent; to the St. Louis merchant, to fifteen per cent; and to the village or country merchant, to twenty-five per cent. Now, at these rates, let us require what tax, or expense, or burden, by whichever name it may be called, is imposed upon the people of our State, in order to get this 100,000 dollars into the treasury of the United States to be appropriated to improve White river.

The burthens upon the people consist of the profits paid upon the revenue and the expense of collection, to the various persons through whose hands the merchandise passes on its way from the manufacturer to the consumer. In this case the sum asked is 100,000 dollars and the expense to the government of collection 11,500 dollars, and the two sums, 111,500 dollars, is the amount upon which the profits are paid; being, not the entire tax, but sufficiently near it to answer our purposes; and upon this we base our calculation. The whole tax must be paid into the custom house before the importer is authorized to sell the merchandise.

Being the first seller after the tax is paid, the importer makes the first profit in his sale to the jobber, and that is five per cent on 111,500 dollars, being 5,575 dollars; and these two sums added together, make the tax and the profits on the tax, amount to 117,075 dollars, being the whole cost to the jobber. The jobber makes the next profit, in his sale to the St. Louis merchant, and that is ten per cent on 117,075 dollars, being 11,707 dollars; and these two sums added together, make the tax and the profits on the tax, amount to 128,782 dollars, being the whole cost to the St. Louis merchant. The St. Louis merchant makes the next profit in his sale to the village or country merchant, and that is fifteen per cent on the 128,782 dollars, being 19,317 dollars; and these two sums added together, make the tax and profits on the tax, amount to 148,099 dollars, being the whole cost to the village or country merchant. The next profit is made by the village or country merchant in his sale to the consumer; and that is twenty-five per cent on the sum of 148,099, being 37,024 dollars; and these two sums added together make the tax and profits on the tax, amount to 185,124 dollars; being the whole cost to the consumer.

This is the burthen imposed upon the people, according to this calculation, to enable the United States to appropriate 100,000 dollars for White river. If the expense of collecting the same sum by the State is only 7,000 dollars, then we suffer

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